



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:
Ouyang, et al.

Serial No. 09/988,494

Filed: November 20, 2001

For: STABILIZED TETRAZOLIUM
PHENAZINE REAGENT
COMPOSITIONS AND METHODS
FOR USING THE SAME

Art Unit: 1615

Examiner: Davis, Ruth

Atty. Ref. LIFE-040

DECLARATION UNDER 37 C.F.R. 1.132

7/21/04
The Commissioner for Patents
Washington D.C. 20231

Dear Sir,

I, Tianmei Ouyang, am an inventor of the subject matter claimed in the patent application identified above (the "subject application"). Accordingly, I am qualified to speak on the level of one of skill in the art.

I hereby declare as follows:

1. I have read the Final Office Action dated October 17, 2003 and the Advisory Actions dated February 13, 2004 and April 16, 2004 for the above referenced application, as well as the references cited therein to support the rejections made by the Examiner.
2. The subject invention specifies a flavin agent at a concentration that ranges from about 1 mM to about 25 mM.
3. None of the cited references (US Patent No. 4,724,204 (the '204 patent) to Steinbach et al., EP 1 130 111 A2 (the '111 publication) to Ouyang et al., and Nippon Chemiphar (the Nippon reference)) teaches or suggests a flavin agent in the concentration range specified in the subject invention.